CF 10

(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2957 OF 2004

PETITIONER Tansukh Ram Netam, son of Shri Janglu Ram Netam, Secretary (Panchayat Karmi), Gram Panchayat Palli, District Bastar.

VS

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Department of Panchayat & Social Welfare, Mantralaya, D.K.S. Bhawan, Raipur.
2. The Sub Divisional Officer (Revenue), Kondagaon, District Bastar (C.G.).
3. The Chief Executive Officer, Janpad Panchayt, Kondagaon, District Bastar (C.G.)
4. Gram Panchayat Palli, through the Sarpanch, Village Palli, Block Kondagaon, District Bastar (C.G.)

P.R. No. 2942/04
Presented by Shri S. Verma
dated 26-8-04

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26.8.04
Clerk to A.G. Bilaspur

उपथ आयुक्त
बिलासपुर तहसील केन्द्र
27/8/04

WRIT PETITION UNDER ARTICLE 227 & 226 OF THE CONSTITUTION OF INDIA.

1. **PARTICULARS OF THE PETITIONER:**

   As mentioned in the cause title.

2. **PARTICULARS OF THE RESPONDENTS:**

   As mentioned in the cause title.

(39)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 2957/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

02-12-2004

Shri P. Bharat, counsel for the petitioner.

Shri Akhil Agrawal, Panel Lawyer for the State.

Heard.

Counsel for the petitioner submitted that the petitioner has been removed from the post of Panchayat Secretary by a resolution dated 20-7-2004 as per Annexure P-3. Against the order of removal, the petitioner preferred an appeal before the Sub-Divisional Officer, who has admitted the said appeal but has not granted the stay. Petitioner has filed the order sheets as Annexure P-4.

Learned State Counsel submitted that the alternative remedy having been availed, the appeal may be directed to be decided.

Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice will be served if a direction is given to the respondent no. 2/Sub-Divisional Officer to decide the appeal pending before it bearing No. 10/2003-04 on its own merits in accordance with law as early as possible preferably within a period of two months from the date of production of the copy of this order subject to cooperation of parties and their counsel.

The petition is accordingly disposed of.

Consequently M.W.P. No. 2979/2004 also stands disposed of.

Sd/-
Fakhruddin
Judge

GRPRJ—FS/350—12/2000—50,000.

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